

EXHIBIT 13

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

MARK I. SOKOLOW, et al.,

Plaintiffs,

V.

THE PALESTINE LIBERATION
ORGANIZATION, et al.,

Defendants.

Civil Action No.
04cv397 (GBD) (RLE)

DEPOSITION OF RAJA SHEHADEH

JERUSALEM, ISRAEL

OCTOBER 13, 2013

REPORTED BY: BRENDA MATZOV, CA CSR NO. 9243

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1 presence of the American president and representatives
2 from both sides, the Palestinian and the Israeli. And
3 it is exactly that, a declaration of principles that
4 are to guide the -- the Peace Process. And it begins
5 by referring to the U.N. Resolution 242 and then states
6 very clearly that the two sides have agreed to reach
7 an agreement between them and end the state of war and
8 so on.

9 And then it goes into details regarding
10 how the Palestinian areas are to be governed by the
11 Palestinian Authority and how that authority -- they
12 call it "council" in the Declaration of Principles,
13 the Palestinian council -- who will head the Palestinian
14 council, and not great detail, but some detail, and then
15 how it's going to be elected, regional, operation --
16 economic operation between the two sides, and very
17 specifically those matters which will be outside of
18 the jurisdiction of the Palestinian Authority. These
19 are Jerusalem, Israelis, settlements, and also a very
20 clear indication that these, including the question
21 of refugees, will be deferred to the final negotiations
22 that will take place between the two sides.

23 And then, in the Declaration of Principles,
24 it also indicates that a full document, which is the
25 Interim Agreement, will be negotiated between the two

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1 sides, specifying and flushing out all these matters.
2 The Declaration of Principles also includes, very
3 importantly, a document which is attached and made
4 part of the declaration called the Agreed Minutes,
5 which if you read the Declaration of Principles without
6 the Agreed Minutes, you might think there are certain
7 ways of interpreting what is said in the Declaration of
8 Principles. But then the Agreed Minutes make it clear
9 that there can be no interpretation except this. And
10 it is specified and spelled out in the Agreed Minutes.

11 Q. Are there Agreed Minutes also to the Oslo II?

12 A. I'd rather not say Oslo I, Oslo II. I'd
13 rather say the Declaration of Principles of 1993 and
14 the Interim Agreement of 1995. Because in between
15 there was another document, which was the 1994, which
16 then was replaced by the Interim Agreement of '95.

17 Q. Let me rephrase the question, then, in
18 deference to your preference.

19 Are there Agreed Minutes to the Interim
20 Agreement of 1995?

21 A. There are no Agreed Minutes for the Interim
22 Agreement of 1995.

23 Q. And is there a -- is there a place in the
24 Interim Agreement of 1995 that discusses what -- which
25 document governs in the event of a conflict between

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1 the two?

2 A. Yes, there are. Well, yeah, the Interim
3 Agreement is an agreement, which is rather lengthy,
4 and annexes. And one of the annexes is called legal
5 assistance, which is Annex IV, I believe, which is
6 legal assistance. And it spells out the jurisdiction
7 of each side in criminal and civil matters and specifies
8 exactly who would have jurisdiction and when in -- in
9 case of conflict.

10 Q. So I guess I have a little narrower question,
11 which is: It strikes me that the Interim Agreement of
12 1995 supersedes the Declaration of Principles.

13 Is that correct or is that incorrect?

14 A. That is incorrect. The Interim Agreement
15 was referred to in the Declaration of Principles.

16 And the Declaration of Principles made very
17 clear that there would be negotiations for an Interim
18 Agreement that would make much more elaborate details
19 about the running and -- and the composition and the
20 jurisdiction and all matters related to the Palestinian
21 Authority and to the relationship between the two sides.

22 Q. So let's just put the two documents before us,
23 and then we can go over them a little bit. So we'll
24 mark as 102 a copy of the Israel-Palestine Liberation
25 Organization Agreement of 1993. And then we'll mark

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1 as 103 the Israeli-Palestinian Interim Agreement on
2 the West Bank and the Gaza Strip of 1995, without its
3 annexes.

4 A. Sorry. What's the first document?

5 Q. I think it's the Declaration of Principles,
6 but we'll look together. I hope it is.

7 (Plaintiffs' Exhibit 102 and Exhibit 103
8 marked.)

9 MR. HILL: Kent, just for the record, these
10 are not from the -- from the U.N. These are, I guess,
11 secondary reproductions of the agreements.

12 But you're representing that these are the
13 full and accurate texts of the agreements?

14 MR. YALOWITZ: I hope so.

15 MR. HILL: Okay.

16 MR. YALOWITZ: I can't honestly say I've
17 checked them. But they appear to be authentic. If
18 it turns out that there's an error, we'll figure that
19 out and get it straightened out. Wouldn't do me much
20 good if there is, but that's the way it goes sometimes.

21 THE WITNESS: (Examining.) These are
22 incomplete.

23 Q. BY MR. YALOWITZ: So let's just look at 102
24 together.

25 A. Uh-huh.